

## Notice of Decision

**Proposal File #:** BSP-06-0001 **Zoning:** M-2 & O  
**Proposal:** River District Town Center Preliminary BSP  
**Proposal Description:** A Preliminary Binding Site Plan (BSP) to subdivide 38.26 acres into 45 parcels  
**Site Address:** TBA  
**General Location:** West of Harvard, South of the Centennial Trail, & 1/4 mile North of Mission  
**Owner:** Centennial Properties (Bob Smith) **Phone:** 509-227-5800  
**Contact:** Greenstone Corporation ( Andrew Worlock) **Phone:** 509-458-5860  
**Application Date:** 10/23/06 **Determination of Completeness Issued:** 10/24/06  
**Notice of Application Issued:** 10/26/06 **Comment Deadline:** 4pm, 11/9/06  
**Notice of Decision Issued:** 8/30/07 **Appeal Closing Date:** 4pm, 9/13/07

### **CITY OF LIBERTY LAKE PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT DECISION:**

- ☐ Approved  
☒ Approved w/ Conditions  
The above-mentioned proposal is approved with the following conditions: (see attachments)  
☐ Disapproved  
The above-mentioned project has been denied due to the following: \_\_\_\_\_

### **SEPA THRESHOLD DETERMINATION: Mitigated Determination of Non-Significance (see MDNS issued 8/30/07)**

DECISION APPEAL PROCEDURE: Interested parties with standing, as defined in RCW 36.70C, have the opportunity to appeal a final decision on a project permit. The decision may be appealed within fourteen (14) calendar days from the date the decision is rendered by delivering a notice of appeal to P&CD by mail or personal delivery. The notice of appeal must be received by 4:00 p.m. on the last day of the appeal period, unless the last day of the appeal period falls on a weekend or holiday, the notice of appeal shall then be due on the following business day. Appeal requests shall contain all information and items required in the City Development Code Section 10-4B-4, subsection H. An 'open record' appeal to the Hearing Examiner is available on many Type I project permits. The appeal procedure shall be as outlined in the City Development Code Section 10-4G-2, subsection H for Appeals of Administrative Interpretations by the P&CD Director.

This Notice of Decision has been provided to the project applicant, the Spokane County Assessor, and to any person who, prior to the rendering of the decision, requested notice of the decision or submitted substantive comments on the application.

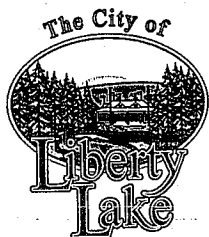
A copy of the SEPA determination has also been provided to the Dept. of Ecology - Olympia, Dept. of Transportation - Spokane County, Other Reviewing Agencies, and the project applicant.

The complete record in this matter, including this decision, is on file during the appeal period with the review authority listed below. Pursuant to RCW 36.70B.130, affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.

A Notice of Decision was also printed in the 9/6/07 edition of the Liberty Lake Splash.

REVIEW AUTHORITY:

PROJECT COORDINATOR: Amanda Tainio, Senior Planner



**Planning & Community Development Department**  
22710 E. Country Vista Blvd., Liberty Lake, WA 99019  
Phone: (509) 755-6707, Fax: (509) 755-6713, [www.libertylakewa.gov](http://www.libertylakewa.gov)

Date Issued: August 30, 2007

Signature: Amanda Tainio

**BEFORE THE CITY OF LIBERTY LAKE  
PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT**

**IN THE MATTER OF BINDING SITE PLAN NO.  
BSP-06-0001 (RIVER DISTRICT TOWN CENTER)**

)  
) **FINDINGS OF FACT,**  
) **PLAT CONCLUSIONS,**  
) **AND DECISION**  
)

THIS MATTER, an application for a binding site plan from the Greenstone Corporation and Centennial Properties, has been received and was decided upon on August 30, 2007 pursuant to the City Development Code, Article 10-4D, Land Divisions and Boundary Line Adjustments.

**FINDINGS OF FACT AND CONCLUSIONS**

1. The proposal is for a Preliminary Binding Site Plan (BSP) to subdivide 38.26 acres into 45 parcels. The area currently is vacant land.
2. The proposal is located West of Harvard, South of the Centennial Trail, & 1/4 mile North of Mission in the East Half of Section 9, Township 25 North, Range 45 E.W.M., Liberty Lake, Washington.
3. The zoning of the property is M-2 (Community Center Mixed Use) and O (Open Space/ Recreation). Pursuant to the Revised Code of Washington (RCW) 58.17.195, this proposal generally conforms to the requirements of the M-2 and O Zones.
4. The City of Liberty Lake Comprehensive Plan Land Use Map designates the property as Community Center Mixed Use and Open Space/ Recreation.
5. The surrounding land is primarily vacant, except for a parking lot and trailhead for the Centennial Trail which is north of the property. The surrounding zoning is M-2 (Community Center Mixed Use), R-2 (Mixed Residential), O (Open Space/ Recreation), and P (Public/ Semi-Public Institutional).
6. The required public notice was provided for this proposal and agencies having a potential interest in the project were notified and recommendations solicited.
7. No written comments were received from members of the public or adjacent property owners. Agency comments were received from Spokane Clean Air, Avista, Dept. of Ecology, LLSWD, WSDFW, and TransCanada.
8. The proposed site lies within the current "Harvard Road Mitigation Area."
9. The proposed site is located inside the Public Transportation Benefit Area and the Spokane Transit Authority (STA) Service Area.
10. The proposed BSP will be served by a public water and sewer system.
11. Recognizing the recommended conditions and City of Liberty Lake development standards, the proposed BSP makes appropriate provisions for the public health, safety, and general welfare and that the public use and interest will be served by platting the Binding Site Plan.
12. The BSP proposal is consistent with RCW 58.17 and the City of Liberty Lake Development Code, Article 10-4D, Land Divisions and Boundary Line Adjustments, promoting the public health, safety, and general welfare in accordance with standards

established by the State and City. The City of Liberty Lake Planning & Community Development Department has considered the provision of adequate public facilities as cited in RCW 58.17.110 (2). More specifically, as applicable:

- |  |                                    |
|--|------------------------------------|
| a. open spaces                         | f. sanitary waste disposal         |
| b. drainage ways                       | g. parks and recreation facilities |
| c. public and/or private right-of-ways | h. playgrounds                     |
| d. transit                             | i. schools and school grounds      |
| e. potable water                       | j. sidewalks                       |

13. A portion of the site lies within a FEMA designated flood plain, according to the City's Flood Hazard Areas Map (December 2006), and a small portion is identified on the City's Priority Habitats Map (December 2006), as Urban Natural Open Space. The ordinary high water mark, as delineated by DOE is adjacent to the site and a portion of the site is located within the 200' shoreline setback from the ordinary high water mark.
14. The BSP had environmental review under the State Environmental Policy Act pursuant to WAC 197-11-800 (6) (a) and the City of Liberty Lake Development Code, Article 10-6A, Environmental Ordinance and a Mitigated Determination of Nonsignificance (MDNS) was issued on August 30, 2007.

### DECISION

Based upon the above noted Findings of Fact and Conclusions, Binding Site Plan Application, BSP-06-0001 is hereby **APPROVED** for five (5) years, specifically to August 30, 2012, and subject to conditions noted below. This decision is final unless appealed in writing consistent with adopted appeal procedures.

### CONDITIONS OF APPROVAL

1. All the below conditions imposed shall be binding on the "Applicant," which term shall include the owner or owners of the property, heirs, assigns and successors.
2. The preliminary BSP applies to the following described real property:

A portion of the East Half of Section 9, Township 25 North, Range 45 East, W.M., more particularly described as follows:

COMMENCING at the East quarter corner of said Section 9; thence S00°29'17"E along the East line of said Section 9 a distance of 312.50 feet; thence N89°47'32"W a distance of 55.00 feet to the POINT OF BEGINNING said point being on the Westerly Right of Way line of Harvard Road; thence along said westerly Right of Way line the following (8) courses:

- N00°29'17"W a distance of 257.44 feet;
- S89°30'43"W a distance of 15.00 feet;
- N00°29'17"W a distance of 55.73 feet to the East/West Center Section line;
- N00°29'14"W a distance of 561.07 feet;
- N03°22'35"W a distance of 351.29 feet;
- S88°27'14"W a distance of 129.18 feet;
- N01°32'46"W a distance of 195.00 feet;
- N42°24'05"W a distance of 48.48 feet to the Southerly Boundary of the Centennial Trail per Record of Survey, recorded in Book 41 of Surveys, Page 85; thence along the Southerly Boundary of Centennial Trial the following (8) courses:

- S66°02'17"W a distance of 146.98 feet;
- S53°04'15"W a distance of 75.73 feet;
- S41°13'38"W a distance of 246.24 feet;
- S30°40'03"W a distance of 131.63 feet;
- S25°19'27"W a distance of 250.41 feet;
- S09°23'27"W a distance of 408.51 feet;
- S56°25'36"W a distance of 508.02 feet to the beginning of a non tangent curve concave to the northwest and having a radius of 3045.71 feet (from which point a radial line bears N31°19'02"W);
- thence Southwesterly along said curve through a central angel of 12°21'58" an arc distance of 657.35 feet to the northwest corner of a parcel of land per Record of Survey, recorded in Book 68 of Surveys, Page 29;
- thence S21°27'21"E a distance of 424.28 feet; thence S89°35'45"E along the North line of said Parcel a distance of 1063.86 feet; thence N00°46'45"W a distance of 545.24 feet to the South line of a 20.00 wide Sewer Outflow Easement per Auditor's File Number 7910020109; thence S89°47'32"E along said South line a distance of 613.87 feet to the POINT OF BEGINNING.

Contains 38.25 acres more or less. Situate in the City of Liberty Lake, Spokane County, Washington.

3. The applicant shall comply with the SEPA MDNS Determination that was issued on August 30, 2007 and the mitigating conditions set forth therein. They are:
  - a. Participation in the Harvard Rd. Mitigation Plan and any other impact fees, such as that for schools, parks, etc., approved by the City Council, consistent with the City of Liberty Lake's Comprehensive Plan, shall be paid upon issuance of building permits for this project.
  - b. Development of the site shall comply with the City Development Code Article 10-3H, the Stormwater Management Manual for Eastern WA.
  - c. A Temporary Erosion and Sedimentation Control (TESC) plan is to be prepared by a WA State licensed Professional Engineer and implemented throughout the duration of construction. The TESC plan is to be prepared using best management practices (BMP's) currently accepted within the Civil Engineering profession. The TESC plan is to include, as a minimum, a grading plan, location, and details of silt control structures (such as silt ponds, silt traps) are to be installed prior to other site work and the TESC measures are to be implemented and maintained throughout the duration of construction.
  - d. A Stormwater Pollution Prevention Plan for the project site may be required and should be developed by a qualified person(s). Erosion and sediment control measures in the plan must be implemented prior to any clearing, grading, or construction. These control measures must be effective to prevent soil from being carried into surface water by stormwater runoff. Sand, silt, and soil can damage aquatic habitat and are considered pollutants. The plan must be upgraded as necessary during the construction period.
  - e. The operator of a construction site which disturbs one acre or more of total land area, and which has or will have a discharge of stormwater to a surface water or to a storm sewer, must apply for coverage under Department of Ecology's Baseline General Permit for Stormwater Discharges Associated with Construction Activities.

- f. Compliance with the Washington State Department of Ecology Water Quality and Solid Waste Program requirements shall be required.
  - g. All new dry wells and other injection wells must be registered with the Underground Injection Control program (UIC) at Department of Ecology prior to use and the discharge from the wells must comply with the ground water quality requirement (nonendangerment standard) at the top of the ground water table.
  - h. Development of the site shall comply with the Spokane County Shoreline Management Program, as adopted or updated by the City of Liberty Lake. The Ordinary High Water Mark shall be delineated on the site to determine accurate setback boundaries and development shall be coordinated with the Department of Ecology and the City of Liberty Lake.
  - i. The final BSP shall comply with the City Development Code Chapter 6, Environment, specifically as related to critical areas and any form of potential disturbance to critical areas shall be reviewed and mitigated as required by Chapter 6.
  - j. Development of the site shall comply with the City Development Code Section 10-3C-2, Landscape Conservation. Mapping of trees within right-of-way and critical areas shall be required at time of final BSP civil plan submittals.
  - k. The requirements for Spokane Clean Air shall be met at the time of project construction.
  - l. Additional conditions are included within the Conditions of Approval for the project.
4. The preliminary BSP is given conditional approval for five (5) years, specifically to August 30, 2012. Application(s) for extension of time shall be processed under the provisions of the City of Liberty Lake Development Code, Article 10-4D-3, Subsection D Modifications and Extensions. Upon written request by the applicant and payment of the required fee, the City of Liberty Lake, Director of Planning & Community Development, may grant one extension of the preliminary BSP approval period not to exceed one year; provided that:
- a. Any changes to the preliminary BSP follow the procedures in Article 10-4F of the City Development Code;
  - b. The applicant has submitted written intent to file a final BSP within the one-year extension period;
  - c. An extension of time will not prevent the lawful development of abutting properties;
  - d. There have been no changes to the applicable Code provisions on which the approval was based. If such changes have occurred, a new preliminary BSP application shall be required; and
  - e. The extension request is made before expiration of the original approved plan.
5. The proposal shall comply with the M-2 (Community Center Mixed Use) and O (Open Space/ Recreation) zones or the zoning designations as amended, the City Development Code, as amended, and the City Municipal Code or City Ordinance, as amended.

6. The final BSP submittal(s) shall be designed in conformance with the preliminary BSP of record, based on the overall boundary and number of approved lots. No increase of density or number of lots shall occur without a change of condition or subdivision application modification request submittal and approval. Additionally, no flag lots shall be created, as defined in the City Development Code Article 10-1C. Individual lot access and configuration, as well as street approach and intersection spacing shall comply with the City Development and the City Street Standards.
7. Individual lots within the BSP (up to the maximum number approved under the preliminary BSP) shall be created through multiple final BSPs and recorded through a record of survey over the 5-year period, however the entire BSP, must be finalized within the 5-year period, unless an extension is granted.
8. The applicant shall submit to the City of Liberty Lake Planning & Community Development Department Director/designee, the proposed final BSP(s) for review, to ensure compliance with these Findings and Conditions of Approval, and City Development Code, Article 10-4D, Land Divisions and Boundary Line Adjustments, prior to recording the final BSPs.
9. A survey is required of the subject property prior to filing the final BSP(s).
10. Appropriate street names and addresses, as assigned by the City of Liberty Lake Planning & Community Development Department, shall be indicated on the final BSP map(s), prior to map recording.
11. Two (2) current Plat Certificates of Title shall be furnished to the City of Liberty Lake Planning & Community Development Department with the final BSP submittal(s) and the BSP file number must be indicated on the plat certificate cover sheet.
12. Final BSP submittals shall contain all the required information and items identified in the City Development Code, Section 10-4D-7, Submissions and Approval Criteria: Final Plat, BSP, and Short Plat.
13. Placement of telecommunication, cable television lines, and other utility facilities shall be underground and undergrounding of all newly installed or extensively modified utilities under 13kV shall be required to protect viewsheds and corridors.
14. Harvard Rd., the future Street H / Bitterroot St., and the extension of Indiana Ave. are identified by the City of Liberty Lake as an Aesthetic Corridor / Boulevard. Native or established landscaping visible from these streets should be preserved and coordination with the P&CD Director shall be required concerning the design and cross section of these streets and the design of adjacent development.
15. The final BSP shall include provisions for pedestrian linkages shown on the civil plans and final BSP map(s), as required by the City Development Code Section 10-3B-3, to construct a continuous pathway system that includes street connectivity and connection to the existing trail system.
16. The following statement shall be placed in the dedicatory language of the final BSP(s):

"Setbacks shall be determined at the time building permits are requested unless these setbacks are specifically drafted on this final BSP. The setbacks indicated on this subdivision may be varied from if proper zoning or variance approvals are obtained."
17. The applicant should contact the Planning & Community Development Department at the earliest possible stage in order to be informed of code requirements administered/

enforced as authorized by the State Building Code Act. Design/ development concerns include addressing, fire apparatus access roads, fire hydrant flow, approved water systems, building accessibility, construction type, occupancy classification, existing exterior wall protection, and energy code requirements.

18. Construction within all proposed public/private roads shall be performed under the direct supervision of a licensed engineer/surveyor, who shall furnish the City with "Record Drawings" and certification which states the following, "I have reviewed the construction and to my knowledge find it to be in substantial conformance with approved certified plans and Standard Specifications except as noted."
19. No construction work is to be performed within the existing or proposed public right-of-way until plans have been accepted and a permit has been issued by the City. All work is subject to inspection and approval by the City.
20. All construction within the existing or proposed right-of-way is to be completed prior to filing the final BSP or a bond in the amount estimated and certified by a Professional Engineer, licensed in the State of Washington to cover the cost of construction of improvements shall be provided to the City. Construction certification, "Record Drawings" and monumentation of the street centerlines shall be filed with the City.
21. Street H shall connect to the approved Bitterroot St. currently located south of the subject property and shall be designed with the approved cross section for Bitterroot St.
22. Approach Permits are required for any access to the City of Liberty Lake street system.
23. Parking on public streets shall only be permitted when the location is reviewed and approved by the City Planning & Community Development Department through a project site plan approval.
24. Prior to final BSP submittal, a Professional Engineer, licensed in the State of Washington, shall submit four (4) copies of the street, grading, and drainage plans, a drainage report, and calculations that conform to the adopted City Street and Stormwater Standards, and all standards and laws that are applicable to this project. Final street, grading, and drainage plans, and drainage reports shall receive acceptance by the City prior to release of a construction or building permit or approval of the final BSP.
25. Any applicable stormwater management systems and streets for this BSP shall be constructed and certified to be constructed in accordance with the accepted street and drainage plans, or all the required improvements must be bonded for in accordance with City regulations, prior to the recording of the final BSP. Record drawings and all construction documentation shall be submitted with the proper certification statement.
26. Before the street and stormwater plans are submitted to the City of Liberty Lake for review and acceptance, a Design Deviation must be submitted to the City for any non-standard elements of the project plans. The sponsor shall acquire approval of the Design Deviation from the City before construction plans are submitted for review. The Design Deviation request must include adequate engineering justification and drainage calculations, and should include any other agency approvals that may be necessary for the proposed deviation to work as designed. The Design Deviation request shall include a description of maintenance responsibilities. The applicant shall make provision for the perpetual maintenance of any drainage facilities located outside of the public right-of-way. The City may deny a Design Deviation or may impose conditions of approval on the Design Deviation.

27. The following statements shall be placed in the dedicatory language of the final BSP(s):
- "The owners or successors in interest agree to join in any City-approved stormwater management program and to pay such rates and charges as may be fixed through public hearings for service or benefit obtained by the planning, design, constructing, maintaining, or operation of stormwater control facilities.
- The owners or successors in interest also agree to join in any City-approved local improvement district for street improvements and to pay such rates and charges as may be fixed through public hearings for service or benefit obtained by the planning, design, constructing, maintaining, or operation of streets."
28. The applicant should be advised that underground or overhead utilities may exist that affect the applicant's property, including property to be dedicated or set aside for future acquisition. The City of Liberty Lake will assume no financial obligation for adjustments or relocation regarding these utilities. The applicant should check with the applicable utilities and the City to determine whether the applicant or utility is responsible for adjustment or relocation costs and to make arrangements for any necessary work.
29. Appropriate utility and pipe line easements shall be indicated on copies of the proposed final BSP map(s). Approval of easements by appropriate utility companies shall be received with the submittal of the final BSP(s).
- a. A 10 foot wide utility easement strip is required along the boundaries of all public and private streets and drives.
- b. The 100 foot wide power line easement should be shown as 50 feet each side of the centerline of the existing transmission line. Dwellings and structures, except fencing, are prohibited within the 100 foot wide strip.
30. The following statement shall be placed in the dedicatory language of the final BSP(s):
- " Utility easements shown on the herein described BSP are hereby dedicated for the use by serving utility companies for the construction, reconstruction, maintenance, protection, inspection, and operation of their respective facilities; fiber optics, cable, phone, natural gas, and electric. The rights granted herein shall prohibit: Encroachment of drainage swales or '208 structures' when they interfere with the utilization of these easement strips by the serving utilities; Changes in grade that alter coverage over installed facilities; Installation of water meter boxes; Placement of surface structures of brick, rock, or masonry that interfere with the rights granted herein. The installation of street light poles is also prohibited unless installed by the serving utility company. Utility companies also have the right to trim and/or remove trees, bushes, landscaping, and to prohibit structures that may interfere with the construction, reconstruction, reliability, maintenance, and safe operation of same. This provision shall not prohibit fences or any lateral crossings of the easement strips with domestic water or sewer lines."
31. The following statement shall be placed in the dedicatory language of the final BSP(s):
- "A public sewer system will be made available for the plat, and individual services will be provided to each lot prior to sale. Use of individual on-site disposal systems shall not be authorized. The developer of the proposal shall bear the cost of providing the required services to the lots."
32. Sewer plans acceptable to the City and the LLSWD shall be submitted prior to the finalization of the project.



33. Design considerations and participation in a future water reuse system, upon approval by the City Council, shall be required at time of sewer and water infrastructure installation.
34. Any water service for this project shall be provided in accordance with the Coordinated Water System Plan for Spokane County, as amended. Prior to filing the final BSP(s), the sponsor shall present evidence that the BSP lies within the recorded service area of the water system proposed to serve the BSP.
35. The following statement shall be placed in the dedicatory language of the final BSP(s):

"A public water system will be made available for the BSP and individual service will be provided to each lot prior to sale. The use of private wells or water systems is prohibited. The developer of the proposal shall bear the cost of providing the required services to the lots."
36. The following statements shall be placed in the dedicatory language of the final BSP(s):

"The public water system, pursuant to the Water Plan approved by the City, Spokane County Fire Protection District #1, and the water purveyor, shall be installed within this BSP and the applicant shall provide for individual domestic water service as well as fire protection to each lot prior to sale of each lot and prior to issuance of a building permit for each lot."
37. Prior to filing the final BSP(s), the sponsor shall demonstrate to the satisfaction of the Spokane Regional Health District that an adequate and potable water supply is available to each lot of the BSP.
38. Development of the subject site shall comply with the GTN Decree of Appropriation ("Decree") entered by the Superior Court dated December 23, 1960 granting to GTN a right of way for a gas pipeline. The applicant shall give proper advance notification to GTN prior to any work being commenced.
  - a. The applicant shall file with GTN plans for any construction within the right of way and request a "Consent Letter" from GTN for such construction. Any Consent Letter issued by GTN shall be consistent with the terms of the Decree and with GTN's obligations/rights to protect the integrity of the pipeline and the safety of the public, as reflected in its operating practices and procedures, provided that such operating practices and procedures are not inconsistent with said Decree.
  - b. Any underground crossing of GTN's right of way must be a minimum of one (1) foot above or two (2) feet below GTN's pipelines and this depth must be maintained across the entire right of way. A "Consent to Common Use" must be requested by the applicant and issued by GTN for such underground crossing of the GTN pipeline.
  - c. GTN requests 48-hour notice (2 working days) prior to the commencement of any excavation or other construction work, which could result in damage to GTN's pipelines.
39. The requirements for Spokane Clean Air and the Washington State Department of Ecology shall be met at the time of project construction.

Approved this 30th day of August, 2007.

  
\_\_\_\_\_  
Doug Smith, Director  
Planning & Community Development

DECISION APPEAL PROCEDURE: Interested parties with standing, as defined in RCW 36.70C, have the opportunity to appeal this decision through an 'open record' appeal to the City Hearing Examiner. The decision may be appealed within fourteen (14) calendar days from the date the decision is rendered by delivering a notice of appeal to P&CD by mail or personal delivery. The notice of appeal must be received by 4:00 p.m. on the last day of the appeal period, unless the last day of the appeal period falls on a weekend or holiday, the notice of appeal shall then be due on the following business day. Appeal requests shall contain all information and items required in the City Development Code Section 10-4B-4, subsection H. The appeal procedure shall be as outlined in the City Development Code Section 10-4G-2, subsection H for Appeals of Administrative Interpretations by the P&CD Director.

If you have any questions, please call the Planning & Community Development Department at (509) 755-6707.

cc: City Engineer  
Fire District #1  
Dept. of Ecology - Spokane  
Dept. of Ecology - Olympia  
Dept. of Transportation - Spokane  
Spokane Clean Air  
Avista Utilities  
QWEST  
LLSWD  
Community Cable  
Spectrum Fiber Network  
TransCanada  
WA State Dept. of Fish & Wildlife

## **MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS)**

**Proposal File #:** BSP-06-0001 **Zoning:** M-2 & O  
**Proposal:** River District Town Center Preliminary BSP  
**Proposal Description:** A Preliminary Binding Site Plan (BSP) to subdivide 38.26 acres into 45 parcels  
**Site Address:** TBA  
**General Location:** West of Harvard, South of the Centennial Trail, & 1/4 mile North of Mission  
**Owner:** Centennial Properties (Bob Smith) **Phone:** 509-227-5800  
**Contact:** Greenstone Corporation ( Andrew Worlock) **Phone:** 509-458-5860  
**MDNS Determination Issued:** 8/30/07 **Appeal Closing Date:** 4pm, 9/13/07

### **LEAD AGENCY: CITY OF LIBERTY LAKE**

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment; provided the applicant complies with the mitigation measures listed below and the attached conditions. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. The complete record in this matter is on file during the appeal period with the review authority listed below and is available to the public upon request.

- ☒ There is no comment period for this MDNS; pursuant to WAC 197-11-350 (1).
- ☐ This MDNS is issued under WAC 197-11-350 (2); the lead agency will not act on this proposal for at least 14 days from the date issued (below). Comments must be received by: \_\_\_\_\_, if they are intended to alter the MDNS.

### **MITIGATING MEASURES:**

**In addition to the plans and specifications submitted for subdivision and SEPA review, the following mitigation is required:**

1. Participation in the Harvard Rd. Mitigation Plan and any other impact fees, such as that for schools, parks, etc., approved by the City Council, consistent with the City of Liberty Lake's Comprehensive Plan, shall be paid upon issuance of building permits for this project.
2. Development of the site shall comply with the City Development Code Article 10-3H, the Stormwater Management Manual for Eastern WA.
3. A Temporary Erosion and Sedimentation Control (TESC) plan is to be prepared by a WA State licensed Professional Engineer and implemented throughout the duration of construction. The TESC plan is to be prepared using best management practices (BMP's) currently accepted within the Civil Engineering profession. The TESC plan is to include, as a minimum, a grading plan, location, and details of silt control structures (such as silt ponds, silt traps) are to be installed prior to other site work and the TESC measures are to be implemented and maintained throughout the duration of construction.
4. A Stormwater Pollution Prevention Plan for the project site may be required and should be developed by a qualified person(s). Erosion and sediment control measures in the plan must be implemented prior to any clearing, grading, or construction. These control measures must be effective to prevent soil from being carried into surface water by stormwater runoff. Sand, silt, and soil can damage aquatic habitat and are considered pollutants. The plan must be upgraded as necessary during the construction period.
5. The operator of a construction site which disturbs one acre or more of total land area, and which has or will have a discharge of stormwater to a surface water or to a storm sewer, must apply for coverage under Department of Ecology's Baseline General Permit for Stormwater Discharges Associated with Construction Activities.
6. Compliance with the Washington State Department of Ecology Water Quality and Solid Waste Program requirements shall be required.

7. All new dry wells and other injection wells must be registered with the Underground Injection Control program (UIC) at Department of Ecology prior to use and the discharge from the wells) must comply with the ground water quality requirement (nonendangerment standard) at the top of the ground water table.
8. Development of the site shall comply with the Spokane County Shoreline Management Program, as adopted or updated by the City of Liberty Lake. The Ordinary High Water Mark shall be delineated on the site to determine accurate setback boundaries and development shall be coordinated with the Department of Ecology and the City of Liberty Lake.
9. The final BSP shall comply with the City Development Code Chapter 6, Environment, specifically as related to critical areas and any form of potential disturbance to critical areas shall be reviewed and mitigated as required by Chapter 6.
10. Development of the site shall comply with the City Development Code Section 10-3C-2, Landscape Conservation. Mapping of trees within right-of-way and critical areas shall be required at time of final BSP civil plan submittals.
11. The requirements for Spokane Clean Air shall be met at the time of project construction.
12. Additional conditions are included within the Conditions of Approval for the project.

**I acknowledge the above mitigating measures to be modifications and adjustments to the above-described proposal and warrant that I will not oppose, object to, or contest these measures in the future.**

Printed Name: ANDREW WORLOCK, GREENSPRING CORP Title: Applicant  
Signature: *Andrew Worlock* Date: 8/28/07

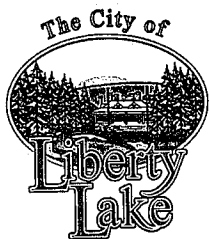
APPEAL OF THIS DETERMINATION, allowed under City Development Code Section 10-6A-7, subsection "C" shall be filed within fourteen (14) days after the determination has been made and is appealable. Any administrative appeal of a procedural or substantive determination under SEPA issued at the same time as the decision on the project action shall be filed within fourteen (14) days after notice of the decision has been made and is appealable. In order to allow public comment on a MDNS prior to requiring an administrative appeal to be filed, this appeal period shall be extended for an additional seven (7) days if the appeal is of a MDNS for which public comment period is required under the provisions of the City Environmental Ordinance or chapter 197-11 WAC. A notice of appeal must be delivered to P&CD by mail or personal delivery and must be received by 4:00 p.m. on the last day of the appeal period, unless the last day of the appeal period falls on a weekend or holiday, the notice of appeal shall then be due on the following business day. Appeal requests shall contain all information and items required in the City Development Code Section 10-4B-4, subsection H. The appeal procedure shall be as outlined in the City Development Code Section 10-4G-2, subsection H for Appeals of Administrative Interpretations by the P&CD Director.

A copy of this SEPA determination has been provided to the Dept. of Ecology - Olympia, Dept. of Transportation - Spokane County, Other Reviewing Agencies, and the project applicant.

A Notice of Decision was also printed in the September 6, 2007 edition of the Liberty Lake Splash.

REVIEW AUTHORITY:

RESPONSIBLE OFFICIAL: Doug Smith, Director of Community Development



**Planning & Community Development Department**  
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Date Issued: August 30, 2007

Signature: *[Signature]*